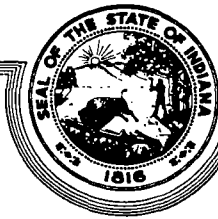


STATE OF INDIANA

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT



INDIANAPOLIS, 46225

105 South Meridian Street

February 19, 1987

VIA CERTIFIED MAIL P 395 653 750

EPA Region 5 Records Ctr.



305943

Mr. John Fecteau
Johnson Controls
1302 East Monroe Street
Goshen, IN 46526

Re: Hazardous Waste Management
RCRA Compliance Inspection
Johnson Controls
IND 009549593
Notice of Violation (V-427)

Dear Mr. Fecteau:

Representatives of the Department of Environmental Management (Department) are conducting inspections of facilities in Indiana that are engaged in the generation, transportation, treatment, storage, or disposal of hazardous waste. Facilities are being inspected to determine compliance with the Environmental Management Act and 320 IAC 4.1, "Hazardous Waste Management Permit Program and Related Hazardous Waste Management Requirements." These inspections and record reviews are also being conducted pursuant to the requirements of the Resource Conservation and Recovery Act (RCRA), Public Law 94-580, as amended, for authorized state hazardous waste management programs.

This notice is to inform you that on October 21, 1986, an inspection of Johnson Controls, located at 1302 East Monroe Street, Goshen, Indiana, was conducted by Mr. Jeff Blankenberger of the Office of Solid and Hazardous Waste Management, of the Department. You represented your firm at this inspection.

The following violations of RCRA and 320 IAC 4.1 pertaining to the operation of your facility were noted:

1. 320 IAC 4.1-38-2 Container storage area for hazardous waste was 75 drums over capacity. Also tank treatment was listed on the facility Part A application which is an exempted process under the wastewater treatment unit exclusion (320 IAC 4.1-15-1(c)(9)).
2. 320 IAC 4.1-16-6 Owner or operator does not include the eyewash, showers, and air packs on the inspection schedule for safety and emergency equipment.

3. 320 IAC 4.1-16-7 Personnel training records do not include job titles for waste handlers at the generation point and the emergency coordinators.
4. 320 IAC 4.1-16-7 Personnel training records do not include job descriptions for waste handlers at the generation point and the emergency coordinators.
5. 320 IAC 4.1-16-7 Personnel have not participated in an annual review of initial training. Some personnel have not been trained since March 1985.
6. 320 IAC 4.1-18-7 Facility did not file an incident report within fifteen (15) days for a spill of 1,1,1-trichloroethane at the facility for which the contingency plan was implemented.
7. 320 IAC 4.1-19-4 The operating record is not accurate with respect to the number of containers in storage. There were 12 more drums in storage than were reflected in the operating record.
8. 320 IAC 4.1-19-4 The operating record does not include detailed reports of all incidents that required implementation of the contingency plan.
9. 320 IAC 4.1-23-4 Containers are not stored closed in the accumulation area.
10. 320 IAC 4.1-9-5 Start of accumulation period was not clearly marked on each container.
11. 320 IAC 4.1-9-5 Some hazardous waste containers were not properly marked with the words "Hazardous Waste."

Johnson Controls, within thirty (30) calendar days of receipt of this notice, shall achieve compliance with the following requirements:

1. Revise the facility Part A application to reflect the current RCRA treatment, storage, or disposal activity at the site. Please include a cover letter describing the changes on the Part A application and an explanation for the changes included therein.
2. Revise the inspection schedule to include all safety and emergency equipment. Submit a copy of the revised inspection schedule to this office.
3. Revise personnel training records to include job titles and job descriptions for all personnel involved in the management of hazardous waste. Submit a revised copy of the personnel training records to this office.

Mr. John Fecteau
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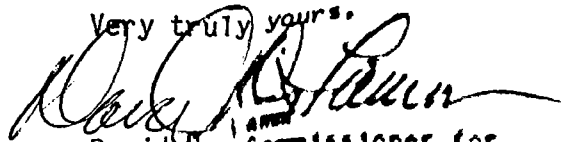
4. Personnel shall participate in an annual review of initial training.
5. Submit hazardous waste contingency plan implementation reports to the Solid Waste Management Board Technical Secretary within fifteen (15) days of incidents involving contingency plan implementation in the future.
6. Revise the operating record to include an accurate count of hazardous waste drums in storage. Also revise the operating record to include a written report concerning implementation of the contingency plan.
7. Close all containers during storage.
8. Mark the start of the accumulation period on each hazardous waste container.
9. Mark each container used to accumulate hazardous waste with the words "Hazardous Waste."

Your company shall submit to this office, within thirty-five (35) calendar days of receipt of this letter, a written detailed explanation of the steps taken to achieve compliance. The letter shall state the date compliance was achieved.

Failure to respond adequately to this Notice of Violation and verify a return to compliance at this facility will result in escalated enforcement action.

Please direct your response to this notice and any questions to Mr. Robert Malone of the Office of Solid and Hazardous Waste Management, Department of Environmental Management, AC 317/232-3409.

Very truly yours,



David M. Assistant Commissioner for
Solid and Hazardous Waste Management

RDM/tjd
cc: Elkhart County Health Department
Ms. Sally Swanson, U.S. EPA, Region V
Mr. Jeff Blankenberger

2761K